



GP/1641

PTO/SB/21 (08-00)
Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	09/594,972
Filing Date	06/15/2000
First Named Inventor	GOERLACH-GRAW
Group Art Unit	1641
Examiner Name	NGUYEN
Attorney Docket Number	BMID 9941US

Total Number of Pages in This Submission **5**

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Response to Non-Compliant Amendment
<div>Remarks</div>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	The Law Office of Jill L. Woodburn, L.L.C. Jill L. Woodburn
Signature	
Date	10/15/2002

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date:		Oct. 15, 2002
Typed or printed name	Jill L. Woodburn	
Signature		Date 10/15/2002

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

RECEIVED
OCT 24 2002



Atty. Docket No. BMID 9941 US

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Dr. Ada Goerlach-Graw, *et al.*

Application No.: 09/594,972

Group No.: 1641

Filed: June 15, 2000

Examiner: Nguyen, Bao Thuy L

For: ELEMENT, METHOD AND KIT FOR THE DETERMINATION OF AN
ANALYTE IN A LIQUID

Assistant Commissioner for Patents

Washington, D.C. 20231

Response to Notice of Non-Compliant Amendment (37 CFR 1.121)

Assistant Commissioner for Patents

Washington, D.C. 20231

Sir:

In response to the Notice of Non-Compliant Amendment mailed October 1, 2002, entry of the Marked-Up Version Of Amended Claims is respectfully requested.

REMARKS

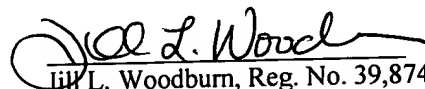
In the Reply mailed June 25, 2002, no amendments were made to the claims. Claims 27-42 were, however, canceled as was stated in the Reply. In accordance with 37 CFR 1.121 (c)(ii), a marked up version of the claims was not supplied for the canceled claims, as it is sufficient to state that a particular claim has been canceled.

However, in order to comply with the Notice of Non-Compliant Amendment, a Marked-Up Version of the Claims is attached. That Version illustrates that claims 27-42 have been cancelled.

The claims as pending are believed to be in condition for allowance, and allowance of the application is respectfully requested. In addition, it is respectfully requested that if necessary, that this paper be considered as a Petition for an Extension of Time sufficient to effect a timely response and charge all fees to Deposit Account Number 50-0877 with reference to (BMID 9941 US).

Respectfully submitted,

Date: Oct. 15, 2002



Jill L. Woodburn, Reg. No. 39,874
The Law Office of Jill L. Woodburn, L.L.C.
6633 Old Stonehouse Dr.
Newburgh, IN 47630
Telephone/Fax No.: (812) 842-2660

TECH CENTER 1600/2900

OCT 24 2002

RECEIVED

14
10/28/02